



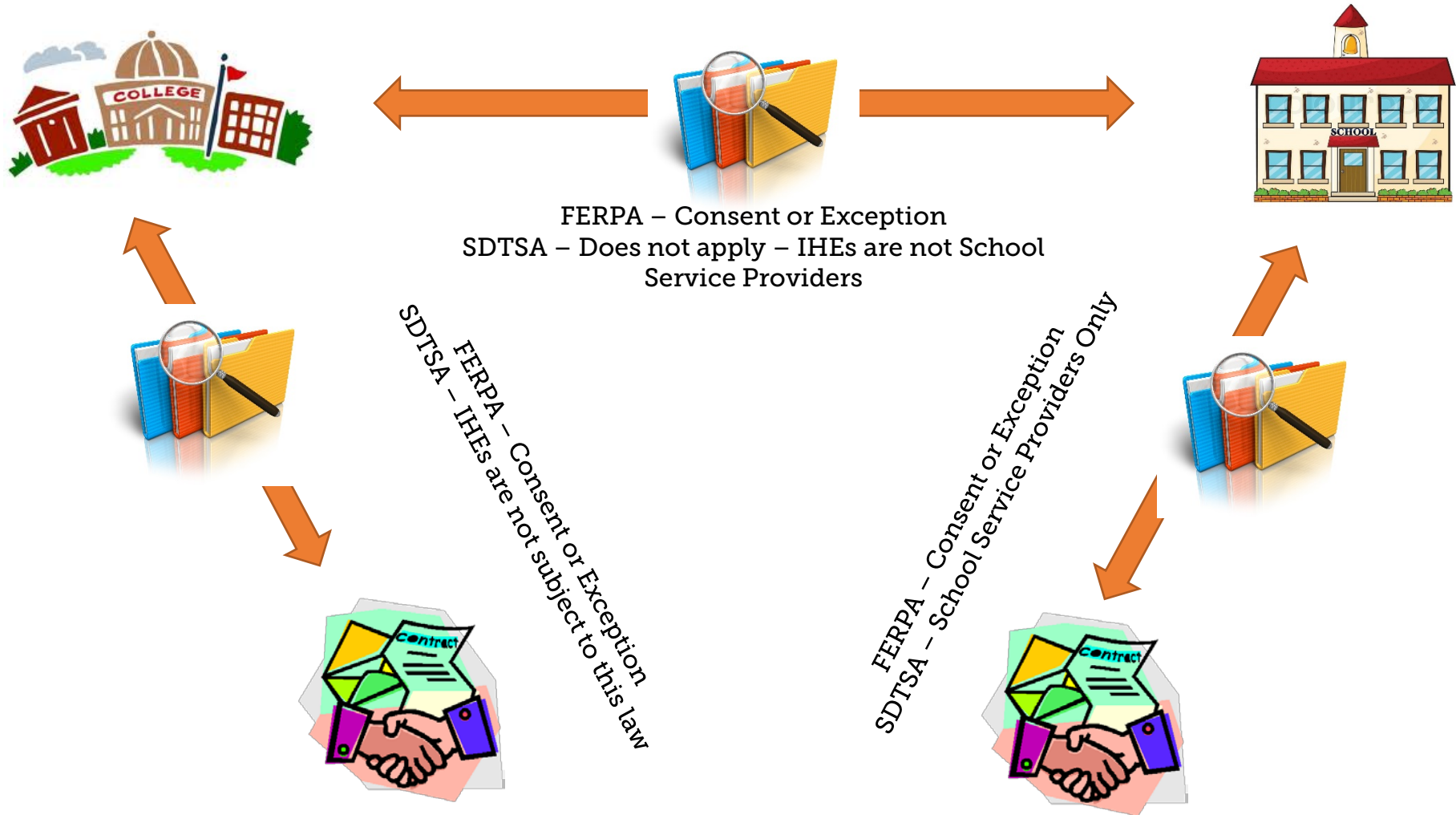
COLORADO
Department of Education

Transfers of PII – Reminders and Guidance

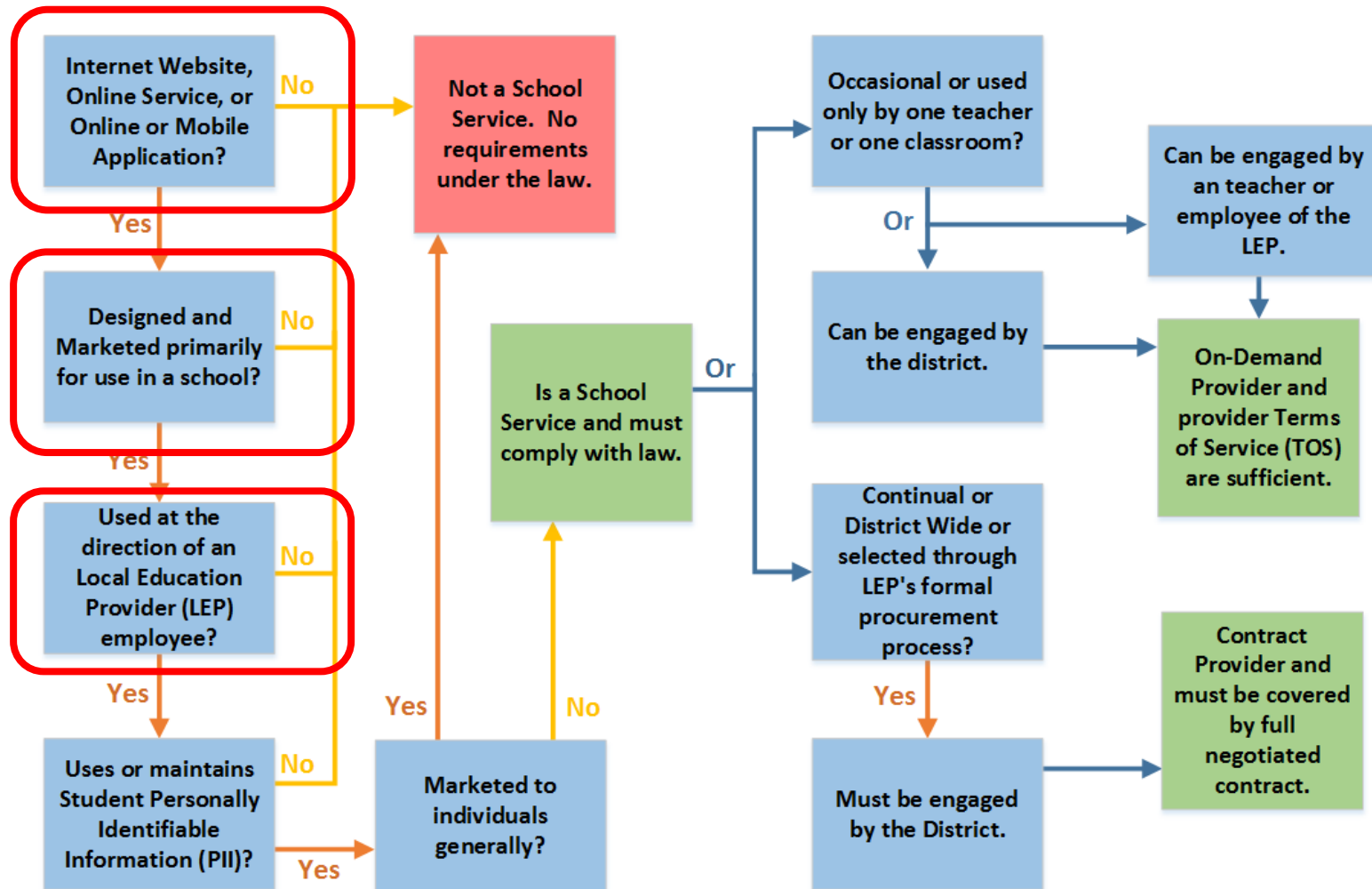
Concurrent Enrollment Advisory Board Quarterly Meeting

This presentation does not constitute legal advice. Confirm with your legal representatives before making any legal decisions.

What laws apply to student PII transfers?



SDTSA – School Service Providers

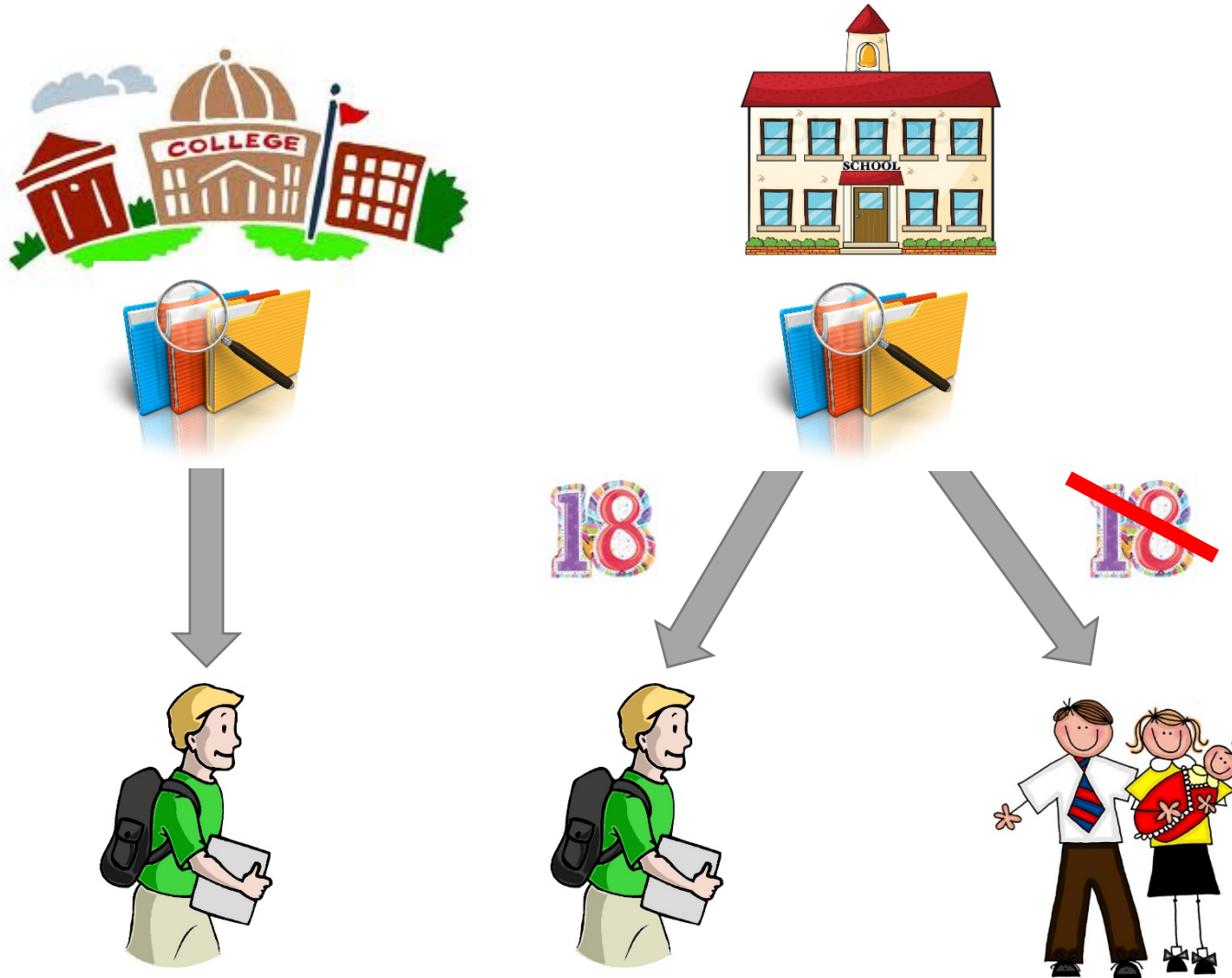


From here: www.cde.state.co.us/dataprivacyandsecurity/factsheet-schoolserviceproviders

FERPA Exceptions

- **School Official:**
 - Performs a service that an employee would perform
 - Under direct control – usually via a contract
- **Enrollment/Transfer:**
 - For enrollment or transfers related to enrollment
 - Students/parents must be notified and have access to the records
- **Financial Aid:**
 - To determine eligibility for, amount of and conditions of aid
 - Enforce terms and conditions (GPA requirements)
- **Studies:**
 - Develop, validate or administer predictive tests, administer student aid or improve instruction
 - Requires a contract and limits on redisclosure
- **Directory Information:**
 - Disclosed to parents in FERPA notice yearly
 - Subject to opt-outs
- **Others:**
 - Health and Safety, subpoenas, juvenile justice, discipline, etc.
 - Consent (*but who consents?*)

Who "owns" the data or has consent rights?



Best Practices for Transfers – Encryption is important!

- Encrypted emails
 - Outlook has encryption methods
 - Some browsers can encrypt Gmail
 - Other solutions
- Secure file sharing programs
 - Make sure that they are really secure
 - Contracts to ensure security/ comply with laws
 - Similar to CDE's use of Syncplicity – Syncplicity cannot access the data
 - Access rights management is crucial
- SFTP and other transfer methods
 - Increased costs
 - May be easier than other methods
- Others – talk to your IT, get creative, google solutions but read the fine print!

Questions?

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Questions?